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Craftſman's *extraordinary Poſition*, ‘ *That the Principles of the* old Whigs *hold as ſtrongly under a* legal *as an* arbitrary *Government*,’ *further conſidered.*

IN an Age, like this, full of licentious Principles naturally tending to the Deſtruction of all *moral Virtue*, and the Happineſs of *human Society*; when the *arbitrary* Power of Princes is ſet upon a Level with *Laws* made by the Community; when *Acts of Parliament* are, even publick Courts of Juſtice, blown up into the Libels againſt our *ſovereign Lords the People*, and Writers are committed againſt the *Laws of the Land*, under a Pretence of executing Juſtice according to the *Laws of God*; when the *Revolution*, and *Defenſe* againſt Popery and Tyranny, is vilely ridiculed; and when, to compleat our Ruin, Going by *Parliaments*, is called *legal Slavery* and *Parliamentary Tyranny*; and 'tis affirm'd, that the Principles of the *old Whigs*, that is, the Principles of Reſiſtance to *arbitrary* Power, and a *Violation* of the Conſtitution, hold as ſtrongly under a *legal* as *arbitrary* Government; 'tis high Time for every Man who values the Revolution, the preſent Royal Family, the Laws of *England*, publick Virtue, and the very Being of Parliaments, to ſtand up in their Defence.

This Poſition, equally falſe and dangerous, that the Principle of *Reſiſtance* holds as ſtrongly under a legal as an *arbitrary* Government, is a natural Conſequence of the Doctrine which has been a long Time delivered in the *Craftſman*, that we are under *Parliamentary Slavery* and *parliamentary Tyranny*; for I will agree with him, that *Tyranny*, in any Shape, ought always to be reſiſted; and *Slavery*, however diſguiſed or diſtinguiſhed, always to be abhorred and oppoſed: And he waits for my Sentiments of the *old Whigs* upon this Subject, he ſhall have them; I have already declared that the *Principle* by which they were eſſentially diſtinguiſhed from the *Tories*, was the Principle of Reſiſtance to *arbitrary* Power, and a *Violation* of the Conſtitution; but they never thought of the *Craftſman's new Doctrine*, which he ignominiouſly charges upon them, that this Principle of *Reſiſtance* holds good againſt *the Laws*: Let him ſhew me ſuch a Paſſage in any of the Whig Writers before the Revolution: No; all they contended for was, that the Kings of *England* ſhould govern by the *Laws of England*; but we, their pretended Sons, are grown, it ſeems, much Wiſer; we have been ſo long governed by Laws, ſince we drove away King *James* the 2d for a *fatal Violation* of them, that we are become thoroughly weary of them; *arbitrary Power* we will not ſubmit to, and, in that, we are certainly right: For we are got to a much *higher Perfection* of Liberty, and reſolve, that we will not ſubmit to *legal Power*; for Power is *legal Slavery*, as *regal* Power is *regal Slavery*; and conſequently, 'tis *equally reaſonable* to reſiſt the *Laws* made by the People, as to reſiſt *arbitrary* Power exerciſed by the Prince.

This Way of talking looks like Madneſs; but, as the *ingenious Author* of theſe Doctrines ſeems to be in Earneſt, we will *ſeriouſly* debate the Caſe, and enter fairly into the Argument.

'Tis not true, that the Doctrine of the *old Whigs* concerning *Reſiſtance*, holds as ſtrongly under a *legal* as *arbitrary* Government; for, tho' 'tis *poſſible*, that a Parliament choſen by the People, may ſo far degenerate from all Senſe of publick Virtue, and all Regard to the Good of their Country, themſelves, and Poſterity, as to yield to iniquitous Meaſures, enact Laws directly contrary to *the real End* of the Conſtitution, and ſo eſtabliſh *Slavery by Law*; yet, 'tis highly improbable; and againſt *Poſſibilities*, no Man, in his Senſes, ever thought of defending himſelf: 'Tis *poſſible* that Mr. *D'Anvers* ſhould be hang'd for *Treaſon*; but who will ſay, ſo good a Subject, and ſo worthy a Man, never gave himſelf the leaſt Pain about ſuch a dangerous Event. 'Tis *highly improbable*, that *the Parliament* ſhould ſubvert the Conſtitution; there is a Thouſand to one againſt it; becauſe, they cannot do one Act to the Prejudice of the *Nation*, that will not be equally prejudicial to *themſelves* and their *Poſterity*; but 'tis not ſo with a *King* and his *Miniſters*. The Hazard therefore of being ruined by thoſe who muſt *periſh with us*, is infinitely leſs to be feared, than of being ruined by a *few Men* who may ſo enrich and ſtrengthen themſelves by the Deſtruction of our Liberties, as to put it out of our Power to retrieve ourſelves.

THIS Reſiſting Doctrine, then, cannot hold, or hold *as ſtrongly* under a *legal* as an *arbitrary* Government, but in *equal Circumſtances*; which, I ſay, is almoſt impoſſible ſhould ever happen: Whereas, it *always holds* againſt an *arbitrary* Government; for *arbitrary* Power, or being governed by the *Will* of one Man, is always againſt the *Rights of Nature* and *Society*; and, therefore, 'tis always *juſt* to *reſiſt* it, *becauſe 'tis arbitrary Power:* But no Man, no not Mr. *D'Anvers*, has yet ventur'd to aſſert, that 'tis *juſt* to reſiſt *legal* Power, becauſe 'tis legal Power. I ſay, 'tis always *juſt* (tho' it may not be always *prudent*) to reſiſt *arbitrary* Power, or a Government by the *Will* of one or a few Men; becauſe ſuch a Government (if 'tis not *infamous* to call it *Government*) is againſt the natural and juſt Rights of Mankind. ‘ The Safety of a Nation, ſays the *Immortal Sidney*, ‘ ought not to depend upon the *changeable Will* or ‘ *Underſtanding* of a Prince: That Rule muſt always ‘ be *uncertain*, and ſubject to be *diſturbed*, which ‘ depends upon the *Fancy* of a Man: He always ‘ *fluctuates*, and every Paſſion that ariſes in his Breaſt, ‘ or is infuſed by others, diſorders him: The Good ‘ of a People ought to be eſtabliſhed upon a more ‘ *ſolid Foundation*; for this Reaſon, the *Law* is eſtabliſh'd, which no *Paſſion* can diſturb, for 'tis void ‘ of Deſire and Fear, Luſt and Anger: The *Law* is ‘ *Mens Sine Affectu*, written Reaſon, retaining ſome ‘ Meaſure of the Divine Perfection: It does not ‘ enjoin that which pleaſes a weak, frail Man; but ‘ without any regard to Perſons, commands that ‘ which is Good, and puniſhes Evil in all, whether ‘ Rich or Poor, High or Low: 'Tis deaf, inexorable, ‘ inflexible. —— Again: Such Governments as ‘ have attained to this Perfection (that is, of *legal* ‘ Power) have always flouriſhed in publick Virtue ‘ and Happineſs; for they are, as *Ariſtotle* ſays, go‘verned by *God* rather than by *Men*; whilſt thoſe ‘ who have ſubjected themſelves to the *Will* of a ‘ Man, were governed by a *Beaſt*.’

I have quoted this beſt of *Old Whigs*, to let the People ſee his juſt Deteſtation of *arbitrary* Governments, and his high Veneration for *Governments by Law*; and to ſhew them, that he would have abhorred the *Craftſman* equally with *Filmer*, for aſſerting, That the Doctrine of *Reſiſtance*, which he taught, holds as ſtrongly under a *legal* as an *arbitrary* Government: He would have abhorred Mr. *D'Anvers* for calling *legal Government*, *legal Slavery*, as much as he did *Filmer* for calling *arbitrary Government*, *divine Power*.——

BUT let us purſue this monſtrous Beaſt of a Poſition a little further, till we have hunted it down. I have already ſaid, that the Doctrine of *Reſiſtance* always holds againſt *arbitrary* Government, *becauſe 'tis arbitrary Government*, whether 'tis adminiſtered *well* or *ill*; becauſe no Man can have a Right to be *Maſter* of the People's Lives and Fortunes; or to ſubject their Perſons and Properties to his *Will*. *Brutus*, therefore, well reply'd to *Cicero*, who ſaid *Cæſar* would manage his Power temperately, and be a *very good Maſter:* Ay but, ſays he, WE WILL HAVE NO MASTER. *Arbitrary* Power, then, tho' exerciſed well, may be juſtly reſiſted; becauſe there can be *no Right* to ſuch Power: Beſides, it may be exerciſed *well* this Moment, and *ill* the next; it may be *Liberty* to Day, and *Tyranny* To-morrow. But *legal Power*, tho' in ſome Inſtances exerciſed ill, ought not to be *reſiſted*; becauſe 'tis *rightful Power* derived from the People, tho' in thoſe Inſtances, made a wrong Uſe of: Laws made by an Aſſembly of Men, choſen by the People, are the People's Laws; and the Power conſequent thereupon, is the People's Power; which, tho' ſometimes not directed according to the exact Rules of *Equity*, ſhould not be reſiſted; for then no Government could ſtand that was not *perfectly Wiſe and Good*. Parliament Men may err: Their being choſen by *fallible* Men, don't make them *infallible*; we can't expect *perfect Wiſdom* or *perfect Goodneſs* in the Perſons we chooſe, any more than in ourſelves; ſo that they may ſometimes make *bad Laws*. There were very bad ones made in King *Charles* the Second's Reign; Laws againſt the fundamental Principles of Liberty; and yet I am of Opinion, that *Algernon Sidney* would not have adviſed to take up Arms againſt the *Parliament:* He liv'd to ſee that very Parliament grow much better, and at laſt ſo good, as to oppoſe all the Meaſures of a deſigning, tricking, arbitrary Court. Beſides, he has delivered it as his Opinion, (See his Book of Government, p. 410.) ‘ That Members of Parliament are ‘ not *ſtrictly and properly obliged* to give an Account of ‘ their Actions to any, unleſs the whole Body of the ‘ Nation could be aſſembled; which, ſays he, being ‘ unpracticable, the *only Puniſhment* to which they ‘ are ſubject, if they betray their Truſt, is *Scorn*, ‘ *Infamy*, *Hatred*, and *an Aſſurance of being rejected*, ‘ when they ſhall again ſeek the ſame Honour.’ And this is true, unleſs we could ſuppoſe, that the *Parliament* ſhould be in a Conſpiracy againſt the Liberties of the Nation, and ſubvert the very End and Deſign of their Inſtitution; or, that the *Repreſentatives* of the People ſhould make a *general Invaſion* of the Rights of the People, and deſtroy that *Security* of Perſon and Property which they were ſent up to preſerve.

To conclude at preſent; it has, I own, a very melancholy Aſpect, that we ſhould be under a Neceſſity of vindicating the *Revolution*, the *Laws of England*, and a *legal Parliamentary Government*: But ſo it is; we have lived to ſee the Day, when Acts of King, Lords, and Commons, are called *legal Slavery*, and *parliamentary Tyranny*; and the People told, that the Doctrine of *Reſiſtance* holds as ſtrongly under a *legal* as an *arbitrary* Government; and this too at a Time, when 'tis impoſſible to produce one Law made ſince the preſent Royal Family came to the Crown, which has the leaſt Tendency to weaken the *Security* of Perſon and Property, or to ſubvert the *End* and *Deſign* of the Conſtitution.

THESE Conſiderations ſhould, I think, make all the *real Friends* of the preſent Government forget all their little Differences, and unite, as one Man, in defence of the *Laws* and *Liberties* of their Country.

F. OSBORNE.

LONDON.

On Sunday laſt Mr. Ephraim Winn, one of the moſt eminent Quakers in Yorkſhire, for Rank, good Senſe and Literature, was baptized in the Pariſh Church of Halifax, by Dr. Leigh: And we hear he publickly declares, he does not conform to any narrow, factious Notions of Chriſtianity, but to Chriſtianity in itſelf; and that his Converſion is greatly owing to the Doctor's Conduct and Principles, which treat all Diſſenters in a Manner that is winning.

Yeſterday ſe'nnight Mr. Robert Wayle, who has ſerved above 20 Years Common Council Man, was elected Sword Bearer of the City of York, in the room of Mr. Raby, deceaſed.

Laſt Saturday Night one Tobias Gradull, a notorious Robber and Horſe-ſtealer, made his Eſcape from the Conſtable and his Aſſiſtants in Thurſday's Market in York, when they were going to commit him, and has not ſince been heard of.

His Majeſty has been pleaſed to appoint John Glidhill, Eſq; to be Captain of a Company in the Regiment of Foot commanded by the Right Hon. the Earl of Effingham.

Yeſterday the Right Hon. the Lord Mayor of this City, Sir John Eyles, Bart. Sir Francis Child, Kt. Sir William Billers, Kt. Sir Edward Bellamy, Kt. Sir John Williams, Kt. Robert Alſop, Eſq; Sir John Barnard, Kt. George Heathcote, Eſq; Sir John Salter, Kt. Sir Robert Godſchall, Kt. John Lequeſne, Robert Cater, and Robert Willymot, Eſqrs; Mr. Baron Thompſon, the Recorder of this City, John Boſworth, Eſq; Chamberlain, &c. waited on the Prince of Wales at St. James's, and preſented hi

his Royal Highneſs with his Freedom of this City in a Gold Box, after which they were elegantly Entertain'd at Carlton Houſe in Pall-mall.

We hear that his Grace the Archbiſhop of Canterbury has preſented the Rev. Mr. Talbot, Brother-in-Law to the Rev. Dr. Linch, Dean of Canterbury, &c. to the Archdeaconry of Lewes in Suſſex, void by the Death of the Rev. Mr. Williamſon, late Archdeacon thereof.

Laſt Sunday Morning died at the Bath, Captain George Simons, Captain of a Company in the Regiment of Foot commanded by the Right Hon. the Earl of Effingham.

Yeſterday the Right Hon. the Lord Naſſau Powlet and his Lady, came from the Bath to their Houſe in Groſvenor's-ſquare.

Laſt Sunday Morning died at his Houſe at Colnbrook, James Todd, Eſq; a Gentleman of a very plentiful Eſtate in the County of Warwick.

Laſt Thurſday —— Greenwood, Eſq; kiſs'd her Majeſty's Hand at St. James's, on his being appointed a Lieutenant in the Regiment of Horſe Guards, Blue, commanded by his Grace the Duke of Argyle and Greenwich.

A very curious and magnificent Monument is finiſhed, and next Week will be erected in Weſtminſter Abby, to the Memory of the late —— Guy, Eſq; Founder of Guy's Hoſpital in the Borough of Southwark.

The Subjects engag'd at the Oratory To-morrow in the Morning, will be the Religious Differences of this Kingdom from King James I. to the Revolution, and thence to this Time: In the Evening, a Lecture againſt Lucretius, a celebrated Epicurean, his Principles that the World was made by Chance, that it is all Mortal, decays, and that there is no Future State, &c. Then a Gentleman will maintain a publick Diſputation on the Queſtion, whether the famous Lord Shaftsbury's Opinion be juſt, that, ſuppoſing no Future State, there is no Obligation to Virtue? Daily is carried on the Gentleman's proper Univerſity in private Inſtitutes.

Yeſterday Bank Stock was 148 1-half. India nothing done. South Sea 100. Old Annuity 112. New ditto, nothing done. Three per Cent. 105 1-4th Emperor's Loan 118 1-4th to 1-half. Royal Aſſurance 110 1-half. London Aſſurance 14 1-half. African 15. India Bonds 6 l. 3 s. to 4 s. Premium. Three per Cent. ditto, 6 l. Premium. South Sea ditto no Price. New Bank Circulation 1 l. 1 s. Prem. Salt Tallies 3 to 4 1-half Premium. Engliſh Copper 21. 8 s. Welſh ditto, no Price. Three 1-half per Cent. Exchequer Orders 6 per Cent. Prem. Three per Cent. ditto 1 per Cent. Premium. Million Bank 116.

November 27, 1736.

THE Managers and Directors of the Lottery appointed by an Act paſſed in the laſt Seſſion of Parliament for building a Bridge croſs the River Thames, from the New Palace Yard in the City of Weſtminſter, to the oppoſite Shore in the County of Surry, having appointed the Payments to be made into the Bank of England by the Contributors to the ſaid Lottery, and given Notice thereof in the London Gazette, purſuant to the Directions of the ſaid Act: And it having ſince been repreſented to the ſaid Managers and Directors, that it will be more convenient to have the Times of Payment enlarged, the ſaid Managers and Directors do therefore give Notice, that they have enlarged the Times of Payment in Manner following; that is to ſay, twenty Shillings on each Ticket to be paid at the Time of Subſcribing, for which Purpoſe, Books are now open at the Bank, and will be continued ſo to the 5th Day of January; forty Shillings more to be paid on each Ticket on or before the 19 Day of January, and the remaining forty Shillings on or before the 29th Day of January next.

In a few Days will be publiſh'd,

(Beautifully printed in Octavo, dedicated to the Right Honourable CHARLES LORD TALBOT, *Baron Honſell, Lord High Chancellor of Great Britain)*

AN Enquiry into the natural Right of Mankind to Debate freely concerning Religion; wherein the Maxims of ſome late Writers upon this Subject are examined.

By a Gentleman of Lincoln's-Inn.

Maxima quaque dubia ſunt. CORN. TACIT.

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BEFORE and AFTER. To be had at Mr. Hogarth's, at the Golden Head in Leiceſter-Fields, and at Mr. Bakewell's, Printſeller, next Door to the Horn Tavern in Fleet-ſtreet.

Where likewiſe may be had,

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A Quart of Rum or Brandy made into Punch for 8 s. a Pint for 4 s. half a Pint for 2 s. a Quartern for 1 s. half a Quartern for 6 d. half half a Quartern for 3 d.

The Publick having been pleas'd greatly to favour me with their Encouragement in my Undertaking began in the Year 1731, by not only reducing the Price of a Gallon of Arrack made into Punch from 32 s. to 24 s. a Gallon of Rum or Brandy from 24 s. to 16 s. but by making it of the beſt Ingredients that Nature produc'd, or Money could purchaſe, and to ſo mall a Quantity as Half a Quartern for 3 d. there being before no leſs Quantity than a Bowl of 1 s. 6 d. to be had:

As an Acknowledgment of ſuch paſt Favours, have determin'd ſtill to continue making of Punch as aforeſaid, in all exact and juſt Obſervance of the Laws, hoping that many others will join with me in ſo publick a Service, as well as Mr. WENMAN, who is the only Perſon as yet.

And that Gentlemen may have as little Cauſe to complain of the Dearneſs as poſſible, I have procur'd the Importation of ſufficient Quantities of moſt excellent double-diſtill'd Old Jamaica Rum, Cogniac Brandy and Batavia Arrack, all which are ſo very ſtrong, as to make at leaſt one third more Sherbet into Punch than any Brandy, Rum or Arrack, uſually import, will.

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Bow Church-yard, Nov. 3, 1736.

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Note, The wholeſale and retale Warehouſe for diſpoſing *Dr. BATEMAN's* PECTORAL DROPS for the Encouragement and more beneficial Uſe of which Sovereign Chymical Medicine, his MAJESTY hath granted his Letters Patent under the Great Seal of Great Britain, is continued and carried on in London, only by the ſaid WILLIAM DICEY and BENJAMIN ORRELL the Patentee, at the Printing Office in Bow Church-yard aforeſaid: Where all Merchants, for Tranſportation, Shopkeepers, and others, for Sale or charitable Uſe, may be ſupplied, with good Allowance.

Note alſo, That ſuch Shopkeepers, &c. as cannot with Conveniency be ſerved from London, may have their Orders obeyed, by directing or ſending *To WILLIAM DICEY, at his Warehouſe in NORTHAMPTON*: at both which Places a Book of the Virtues and Uſe of the ſaid DROPS may be had gratis.

Juſt Publiſhed,

A COLLECTION of ſeveral Tracts of the Right Hon. EDWARD Earl of CLARENDON, Author of the Hiſtory of the Rebellion and Civil Wars in ENGLAND, begun in the Year 1641, viz.

I. A Diſcourſe by way of Vindication of himſelf from the Charge of High Treaſon, brought againſt him by the Houſe of Commons.

II. Reflections upon ſeveral Chriſtian Duties, Divine and Moral, by way of Eſſays. 1. Of Human Nature. 2. Of Life. 3. Of Reflections upon Happineſs, which we are apt to ſeek in and from ourſelves. 4. Of impudent Delights in Wickedneſs. 5. Of Drunkeneſs. 6. Of Envy. 7. Of Pride. 8. Of Anger. 9. Of Patience in Adverſity. 10. Of Contempt of Death, and the beſt Providing for it. 11. Of Friendſhip. 12. Of Counſel and Converſation. 13. Of Promiſes and Oaths. 14. Of Liberty. 15. Of Induſtry. 16. Of Sickneſs. 17. Of Repentance. 18. Of Conſcience. 19. Of an Active and Contemplative Life; and when and why the one ought to be preferred to the other. 20. Of War. 21. Of Peace. 22. Of Sacriledge.

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